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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,531	02/09/2004	Karl Dias	021756-003700US	1070
51206 7590 07/21/2008 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
CHEN, QING				
ART UNIT		PAPER NUMBER		
2191				
MAIL DATE		DELIVERY MODE		
07/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,531

Applicant(s)

DIAS ET AL.

Examiner

Qing Chen

Art Unit

2191

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-18 and 20-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-18, and 20-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is in response to the amendment filed on April 17, 2008.
2. **Claims 1-4, 6-18, and 20-33** are pending.
3. **Claims 1-4, 14-18, and 26-33** have been amended.
4. **Claims 5 and 19** have been cancelled.
5. The objection to the specification is withdrawn in view of Applicant's amendments to the specification.
6. The objections to Claims 15, 16, and 27 are withdrawn in view of Applicant's amendments to the claims.
7. It is noted that Claim 29 contains claim amendments. However, the claim still bears the "Previously presented" status identifier.

Response to Amendment

Claim Objections

8. **Claims 2-4, 6-13, 16-18, and 20-25** are objected to because of the following informalities:
 - **Claim 2** contains a typographical error: "wherein symptoms are analyzed to determine a root performance problem determining the first performance problem ..." should presumably read -- wherein symptoms are analyzed to determine a root performance problem by determining the first performance problem ... --.
 - **Claims 2-4, 6-13, 16-18, and 20-25** recite the category of invention "[t]he method." Applicant is advised to change this category of invention to read "[t]he computer-

implemented method” for the purpose of providing it with proper explicit antecedent basis.

- **Claim 17** recites the limitation “the symptoms.” Applicant is advised to change this limitation to read “the one or more symptoms” for the purpose of providing it with proper explicit antecedent basis.
- **Claim 18** depends on Claim 17 and, therefore, suffers the same deficiency as Claim 17.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. **Claims 14-18, 20-25, and 29-33** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 14 and 29 recite the limitation of receiving information from a user specifying a set of rules classifying operations performed in a database. The subject matter is not properly

described in the application as filed, since the specification only discloses receiving classifications for performance problems in a database (*see page 12, paragraph [0061]*). The specification lacks disclosure on receiving the classification information from a user. Because the specification does not adequately support the claimed subject matter, it would not reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 15-18 and 20-25 depend on Claim 14 and, therefore, suffer the same deficiency as Claim 14.

Claims 30-33 depend on Claim 29 and, therefore, suffer the same deficiency as Claim 29.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 1-4, 6-18, and 20-33** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US 6,035,306 (hereinafter “Lowenthal”)** in view of **US 4,849,879 (hereinafter “Chinnaswamy”)**.

As per **Claim 1**, Lowenthal discloses:

- receiving information indicative of a set of rules classifying operations performed in a database as one or more performance problems (*see Column 5: 11-25, "... if Table A and Index I are both heavily used, the three disks that the stripes of these objects share will be overloaded, and access requests will queue, generating an activity "hot-spot" and costly delays in servicing a customer request for a record."*);

- determining one or more values that quantify an impact for the one or more performance problems based on performance of operations in the database (*see Figure 18; Column 13: 50-56, "The DBA might then choose to look at the samples for plex 14A I/O over the time period from 5:00 am to 1:00 PM, resulting in the display of FIG. 18. FIG. 18 shows that there is spike of abnormally high activity on plex 14A during the time period of poor performance, indicating that the DBA is homing in on the problem."*);

- determining a first performance problem from the one or more performance problems based on a matching between the one or more values for the one or more performance problems and at least one rule in the set of rules (*see Column 13: 50-59, "The DBA might then choose to look at the samples for plex 14A I/O over the time period from 5:00 am to 1:00 PM, resulting in the display of FIG. 18. FIG. 18 shows that there is spike of abnormally high activity on plex 14A during the time period of poor performance, indicating that the DBA is homing in on the problem. This process would continue with the DBA next looking at the individual tablespaces and files stored in plex 14A until the database objects causing the problem are identified."*); and

- generating information indicative of a recommendation for a solution for the first performance problem (*see Column 14: 22-39, "First, the system determines the busiest stripe set,*

block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”).

However, Lowenthal does not disclose:

- each rule in the set of rules defining one or more symptoms and at least one root performance problem.

Chinnaswamy discloses:

- each rule in the set of rules defining one or more symptoms and at least one root performance problem (*see Column 10: 24-52, “The rules involved in the preferred embodiment can generally be classified into memory rules, CPU rules, I/O rules, channel rules, resource rules, and cluster rules. Presently, due to the number of rules in the preferred embodiment, the implementation of the rules is done by way of programs which incorporate both the thresholds and the rules together.” and “In the decision tree shown in FIGS. 9A-9I, 10A and 10B, and 11A-11D, the circular elements are either decision points or stop points indicating, respectively, tests to be made or exits from a particular decision tree. The tests which may be made are printed along side of the circular nodes and are explained in additional detail in the text. The square boxes contain rule numbers. The message template for the rules are in Appendices 1-6 at the end of this description.”).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chinnaswamy into the teaching of Lowenthal to include each rule in the set of rules defining one or more symptoms and at least one root performance problem. The modification would be obvious because one of ordinary skill in the

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art would be motivated to provide performance tuning and evaluation of a database according to predetermined rules and thresholds (*see Chinnaswamy – Column 3: 3-7*).

As per **Claim 2**, the rejection of **Claim 1** is incorporated; however, Lowenthal does not disclose:

- wherein the set of rules for the one or more performance problems include symptoms and root problems, wherein symptoms are analyzed to determine a root performance problem by determining the first performance problem from the one or more performance problems based on the matching comprises automatically analyzing the one or more symptoms defined by the at least one rule based on the one or more values to identify the root performance problem defined by the at least one rule as the first performance problem.

Chinnaswamy discloses:

- wherein the set of rules for the one or more performance problems include symptoms and root problems, wherein symptoms are analyzed to determine a root performance problem by determining the first performance problem from the one or more performance problems based on the matching comprises automatically analyzing the one or more symptoms defined by the at least one rule based on the one or more values to identify the root performance problem defined by the at least one rule as the first performance problem (*see Column 10: 9-17, “In general, the analysis portion of this invention involves the application of certain rules to the metrics and parameters collected during the data collection operation. The rules often involve the comparison of metrics and parameters either to themselves or to certain thresholds to see*

whether the criteria of the rules (e.g., greater than, less than, etc.) have been satisfied. If all the criteria for a rule have been satisfied, then the rule is said to trigger.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chinnaswamy into the teaching of Lowenthal to include wherein the set of rules for the one or more performance problems include symptoms and root problems, wherein symptoms are analyzed to determine a root performance problem by determining the first performance problem from the one or more performance problems based on the matching comprises automatically analyzing the one or more symptoms defined by the at least one rule based on the one or more values to identify the root performance problem defined by the at least one rule as the first performance problem. The modification would be obvious because one of ordinary skill in the art would be motivated to provide performance tuning and evaluation of a database according to predetermined rules and thresholds (see Chinnaswamy – Column 3: 3-7).

As per **Claim 3**, the rejection of **Claim 2** is incorporated; and Lowenthal further discloses:

- wherein symptoms defined by the set of rules are classified from a first set of performance problems to a second set of performance problems (see *Figures 14-18; Column 11: 18-21, “In the described embodiment, the data is displayed as a bar graph with the stripe sets arranged in descending order of usage, as shown in FIG. 14.”; Column 12: 22-28, “After one set of data is displayed, a user can display usage data related to any of the displayed items. Referring again to FIG. 14, further analysis may be carried out for any of the stripe sets shown.*

By right-clicking on bar 83, a menu 84 may be brought up which allows a user to select the disk, file volume, plex, or tablespace usage associated with stripe 14 for display.”).

As per **Claim 4**, the rejection of **Claim 2** is incorporated; and Lowenthal further discloses:

- wherein generating the information indicative of the recommendation for a solution comprises generating the information to include symptoms that were analyzed to determine the root performance problem (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”*).

As per **Claim 6**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- wherein the one or more values comprising time values that quantify the impact of the one or more performance problems (*see Figure 18; Column 13: 50-56, “The DBA might then choose to look at the samples for plex 14A I/O over the time period from 5:00 am to 1:00 PM, resulting in the display of FIG. 18. FIG. 18 shows that there is spike of abnormally high activity on plex 14A during the time period of poor performance, indicating that the DBA is homing in on the problem.”*).

As per **Claim 7**, the rejection of **Claim 6** is incorporated; and Lowenthal further discloses:

- determining the time values using at least one of a time model that classifies operations in the database as wasteful operations and a wait model that classifies operations in the database waiting for completion of one or more external events (see Figure 13; Column 9: 29-42, "Several different types of data are collected for the disk drive, plex, and database file usage samples. These data types will be referred to a properties below. The properties collected include the following: number of reads per second; number of writes per second; number of kilobytes read per second; number of kilobytes written per second; queue length, which is the average number of I/O requests pending for a disk drive during the measurement period; service time, which is the average time in milliseconds for an I/O request to be completed; percent busy, which represents the average utilization factor for a disk during the measurement period; and percent wait, which is the average percentage of time that there are transactions waiting for service during the measurement period."; Column 10: 48-51, "Next the user selects the desired property to be displayed from the drop down menu 74. The available properties will vary, depending on the particular item selected in I/O type menu 72.").

As per **Claim 8**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- determining one or more operations in the database that caused the first performance problem (see Column 13: 57-59, "This process would continue with the DBA next looking at the

individual tablespaces and files stored in plex 14A until the database objects causing the problem are identified.”); and

- analyzing stored information for the one or more operations absent direct user intervention to generate the information indicative of the recommendation for the solution (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”*).

As per **Claim 9**, the rejection of **Claim 8** is incorporated; and Lowenthal further discloses:

- wherein the stored information comprises a snapshot of information for the one or more operations (*see Column 9: 20-23, “These measurements provide a series of snapshots of the system performance which are used by the analysis tool described below to diagnose system problems.”*).

As per **Claim 10**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- automatically determining the recommendation for the solution in response to determining the first performance problem (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has*

more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”).

As per **Claim 11**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- determining a recommendation rule from a set of recommendation rules associated with the first performance problem, each recommendation rule in the set of recommendation rules indicative of at least one recommendation for a solution for the first performance problem (see Column 14: 17-39, “Once the user has selected a time period and property, the present invention carries out the remainder of the procedure shown in FIG. 19 to recommend placement actions to take out.”);
- determining one or more operations that caused the first performance problem (see Column 14: 17-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106.”);
- applying the recommendation rule to the one or more operations (see Column 14: 17-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106.”); and
- determining a recommendation for the solution in response to a determination that the one or more operations satisfy the recommendation rule (see Column 14: 17-39, “If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”).

As per **Claim 12**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- outputting the recommendation for the solution (*see Column 14: 40-45, "Following the above procedure, and assuming that a DBA has changed the placement in accordance with the recommendation, the database system is monitored during normal operation for a period of time so that new samples can be gathered with the new placement in operation. Then the analysis of FIG. 19 would be carried out again." It is inherent that the recommendation is outputted, so the DBA can make decisions regarding the recommendation.*).

As per **Claim 13**, the rejection of **Claim 1** is incorporated; and Lowenthal further discloses:

- generating information specifying one or more operations performed in the database that are not causing performance problems (*see Column 13: 60-62, "... the lightly used resources of the database have also been identified ..."*).

As per **Claim 14**, Lowenthal discloses:

- receiving information specifying a set of rules classifying operations performed in a database as one or more performance problems (*see Column 5: 11-25, "... if Table A and Index 1 are both heavily used, the three disks that the stripes of these objects share will be overloaded, and access requests will queue, generating an activity "hot-spot" and costly delays in servicing a customer request for a record."*);

- collecting information that quantifies an impact for one or more operations performed in the database (*see Figures 9-11; Column 9: 28-41, "Several different types of data are collected for the disk drive, plex, and database file usage samples."*);

- associating the information for one or more operations with the one or more performance problems classified by the set of rules (*see Figures 9-11; Column 9: 43-67, "FIG. 9 shows the format for the data taken and stored for the disk performance samples, along with exemplary data." and "FIG. 10 shows the format for the data taken and stored for the plex performance samples, along with exemplary data." and "FIG. 11 shows the format for the data taken and stored for the Oracle file performance samples, along with exemplary data."*);

- analyzing the associated information for the one or more performance problems based on the set of rules classifying operations performed in the database into the one or more performance problems to determine a first performance problem from the one or more performance problems (*see Figures 13-18; Column 5: 11-25, "... if Table A and Index I are both heavily used, the three disks that the stripes of these objects share will be overloaded, and access requests will queue, generating an activity "hot-spot" and costly delays in servicing a customer request for a record."; Column 13: 57-62, "This process would continue with the DBA next looking at the individual tablespaces and files stored in plex 14A until the database objects causing the problem are identified. At this point, the lightly used resources of the database have also been identified, facilitating the replacement of the problem objects."*); and

- generating information indicative of a recommendation for a solution for the first performance problem (*see Column 14: 22-39, "First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex*

stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”).

However, Lowenthal does not disclose:

- receiving information from a user specifying a set of rules, each rule in the set of rules defining one or more symptoms and at least one root performance problem.

Chinnaswamy discloses:

- receiving information from a user specifying a set of rules, each rule in the set of rules defining one or more symptoms and at least one root performance problem (*see Column 1: 25-27, “The term “parameters” is used herein to denote system values which can be set either by the operating system itself or by a user.” and 32-37, “The adjustment of parameters affects the operation of the system. For example, the maximum working set size parameter for a process may determine how often that process will have a page fault, or the maximum length of time one process can run continuously may affect the amount of swapping by the system.”; Column 10: 24-52, “The rules involved in the preferred embodiment can generally be classified into memory rules, CPU rules, I/O rules, channel rules, resource rules, and cluster rules. Presently, due to the number of rules in the preferred embodiment, the implementation of the rules is done by way of programs which incorporate both the thresholds and the rules together.” and “In the decision tree shown in FIGS. 9A-9I, 10A and 10B, and 11A-11D, the circular elements are either decision points or stop points indicating, respectively, tests to be made or exits from a particular decision tree. The tests which may be made are printed along side of the circular nodes and are explained in additional detail in the text. The square boxes contain rule numbers. The message template for the rules are in Appendices 1-6 at the end of this description.”).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chinnaswamy into the teaching of Lowenthal to include receiving information from a user specifying a set of rules, each rule in the set of rules defining one or more symptoms and at least one root performance problem. The modification would be obvious because one of ordinary skill in the art would be motivated to provide performance tuning and evaluation of a database according to predetermined rules and thresholds (see Chinnaswamy – Column 3: 3-7).

As per **Claim 15**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- determining when one or more operations that are associated with the one or more performance problems are being performed (see Figure 18; Column 13: 50-56, “The DBA might then choose to look at the samples for plex 14A I/O over the time period from 5:00 am to 1:00 PM, resulting in the display of FIG. 18. FIG. 18 shows that there is spike of abnormally high activity on plex 14A during the time period of poor performance, indicating that the DBA is homing in on the problem.”); and
- timing the one or more operations that are associated with the one or more performance problems to generate one or more time values for the one or more operations that quantify the impact of the one or more operations (see Figure 18; Column 13: 50-56, “The DBA might then choose to look at the samples for plex 14A I/O over the time period from 5:00 am to 1:00 PM, resulting in the display of FIG. 18. FIG. 18 shows that there is spike of abnormally

high activity on plex 14A during the time period of poor performance, indicating that the DBA is homing in on the problem.”).

As per **Claim 16**, the rejection of **Claim 15** is incorporated; and Lowenthal further discloses:

- wherein the one or more operations that are associated with the one or more performance problems are determined based on at least one of a time model that classifies a first set of operations in the database as wasteful operations and a wait model that classifies a second set of operations in the database waiting for completion of one or more external events (*see Figure 13; Column 9: 29-42, “Several different types of data are collected for the disk drive, plex, and database file usage samples. These data types will be referred to a properties below. The properties collected include the following: number of reads per second; number of writes per second; number of kilobytes read per second; number of kilobytes written per second; queue length, which is the average number of I/O requests pending for a disk drive during the measurement period; service time, which is the average time in milliseconds for an I/O request to be completed; percent busy, which represents the average utilization factor for a disk during the measurement period; and percent wait, which is the average percentage of time that there are transactions waiting for service during the measurement period.”; Column 10: 48-51, “Next the user selects the desired property to be displayed from the drop down menu 74. The available properties will vary, depending on the particular item selected in I/O type menu 72.”).*

As per **Claim 17**, the rejection of **Claim 14** is incorporated; however, Lowenthal does not disclose:

- wherein analyzing the associated information for the one or more performance problems based on the set of rules classifying operations performed in the database into the one or more performance problems to determine the first performance problem from the one or more performance problems comprises automatically analyzing the one or more symptoms defined by at least one rule in the set of rules to identify the root performance problem defined by the at least one rule as the first performance problem.

Chinnaswamy discloses:

- wherein analyzing the associated information for the one or more performance problems based on the set of rules classifying operations performed in the database into the one or more performance problems to determine the first performance problem from the one or more performance problems comprises automatically analyzing the one or more symptoms defined by at least one rule in the set of rules to identify the root performance problem defined by the at least one rule as the first performance problem (*see Column 10: 9-17, "In general, the analysis portion of this invention involves the application of certain rules to the metrics and parameters collected during the data collection operation. The rules often involve the comparison of metrics and parameters either to themselves or to certain thresholds to see whether the criteria of the rules (e.g., greater than, less than, etc.) have been satisfied. If all the criteria for a rule have been satisfied, then the rule is said to trigger."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chinnaswamy into the teaching of Lowenthal

to include wherein analyzing the associated information for the one or more performance problems based on the set of rules classifying operations performed in the database into the one or more performance problems to determine the first performance problem from the one or more performance problems comprises automatically analyzing the one or more symptoms defined by at least one rule in the set of rules to identify the root performance problem defined by the at least one rule as the first performance problem. The modification would be obvious because one of ordinary skill in the art would be motivated to provide performance tuning and evaluation of a database according to predetermined rules and thresholds (*see Chinnaswamy – Column 3: 3-7*).

As per **Claim 18**, the rejection of **Claim 17** is incorporated; and Lowenthal further discloses:

- wherein generating the information indicative of the recommendation for a solution comprises generating the information to include symptoms that were analyzed to determine the root performance problem (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”*).

As per **Claim 20**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- determining one or more operations in the database that caused the first performance problem (*see Column 13: 57-59, “This process would continue with the DBA next looking at the*

individual tablespaces and files stored in plex 14A until the database objects causing the problem are identified.”); and

- reviewing stored information for the one or more operations to generate the information indicative of the recommendation for the solution (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”*).

As per **Claim 21**, the rejection of **Claim 20** is incorporated; and Lowenthal further discloses:

- wherein the stored information comprises a snapshot of information for the one or more operations (*see Column 9: 20-23, “These measurements provide a series of snapshots of the system performance which are used by the analysis tool described below to diagnose system problems.”*).

As per **Claim 22**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- automatically determining the recommendation for the solution in response to determining the first performance problem (*see Column 14: 22-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has*

more than one plex stored in it, block 106. If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”).

As per **Claim 23**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- determining a recommendation rule from a set of recommendation rules associated with the first performance problem, each recommendation rule in the set of recommendation rules indicative of at least one recommendation for a solution to the first performance problem (*see Column 14: 17-39, “Once the user has selected a time period and property, the present invention carries out the remainder of the procedure shown in FIG. 19 to recommend placement actions to take out.”*);
- determining one or more operations that caused the first performance problem (*see Column 14: 17-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106.”*);
- applying the recommendation rule to the one or more operations (*see Column 14: 17-39, “First, the system determines the busiest stripe set, block 104. Next, the system determines whether the busiest stripe set has more than one plex stored in it, block 106.”*); and
- determining a recommendation for the solution in response to a determination that the one or more operations satisfy the recommendation rule (*see Column 14: 17-39, “If only a single logical file is stored on the stripeset, the system will recommend using more disks for the stripeset, block 110.”*).

As per **Claim 24**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- outputting the recommendation for the solution (*see Column 14: 40-45, "Following the above procedure, and assuming that a DBA has changed the placement in accordance with the recommendation, the database system is monitored during normal operation for a period of time so that new samples can be gathered with the new placement in operation. Then the analysis of FIG. 19 would be carried out again." It is inherent that the recommendation is outputted, so the DBA can make decisions regarding the recommendation.*).

As per **Claim 25**, the rejection of **Claim 14** is incorporated; and Lowenthal further discloses:

- generating information specifying one or more operations performed in the database that are not causing performance problems (*see Column 13: 60-62, "... the lightly used resources of the database have also been identified ..."*).

Claims 26-28 are computer-readable medium claims corresponding to the computer-implemented method claims above (Claims 1, 10, and 11) and, therefore, are rejected for the same reasons set forth in the rejections of Claims 1, 10, and 11.

Claims 29-33 are computer-readable medium claims corresponding to the computer-implemented method claims above (Claims 14, 15, 20, 22, and 23) and, therefore, are rejected for the same reasons set forth in the rejections of Claims 14, 15, 20, 22, and 23.

Response to Arguments

13. Applicant's arguments with respect to Claims 1, 14, 26, and 29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The

Examiner can normally be reached on Monday through Thursday from 7:30 AM to 4:00 PM.

The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wei Zhen, can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/QC/
June 25, 2008

/Wei Zhen/

Supervisory Patent Examiner, Art Unit 2191